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December 18, 2009

Via EFS Web

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re **PATENT** application of:

Applicant(s): Seiji HOSOKAWA Art Unit: 1794
Serial No: 10/561,946 Examiner: Elizabeth A. Gwartney
Filed: June 6, 2006 Confirmation No: 3079
Title: **BAKED SNACK** Docket No: YAMAP0998US

Accounting Division - Receipts
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Dear Sirs:

The undersigned respectfully requests a refund of \$1,320.00 due to an incorrect charge for six (6) independent claims in excess of three (3) in connection to the above-identified application. The fee for six (6) independent claims in excess of three (3) was charged to our Deposit Account No. 18-0988 on October 2, 2009; please refund the fees directly to our Deposit Account No. 18-0988. Please contact Mr. Dan Caraballo, of our Accounts Payable Department, at 216-621-1113, if you need further information.

| Date | Fee Code | Fee | Fee Amount | Paid | Refund |
|-------------------------------|----------|--|------------|-------------------|------------|
| 10/02/2009 | 1201 | Independent claims in excess of three. | \$1,320.00 | \$1,320.00 | \$1,320.00 |
| Total Refund Requested | | | | \$1,320.00 | |

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Serial No. 10/561,946

EXPLANATION OF WHY CHARGES ARE IN ERROR

A Request for Continued Examination and an Amendment were filed on October 2, 2009. Claims 1-8 and 10-17 are pending in the application. Claim 9 was cancelled in an Amendment filed on March 24, 2009. No new claims have been filed.

The charge to our Deposit Account No. 18-0988 in the amount of \$1,320.00 on October 2, 2009 is in error.

A refund in the amount of \$1,320.00 is respectfully requested.

Respectfully submitted,

/Mark D. Saralino/

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